

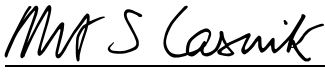
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DONALD C. FLORY,	)	
	)	
Plaintiff,	)	CASE NO. C06-1046-RSL-JPD
	)	
v.	)	
	)	
DONALD CLAUSSEN, <i>et al.</i> ,	)	ORDER DENYING DEFENDANTS'
	)	MOTION TO DISMISS
Defendants.	)	
	)	

The Court, having reviewed defendants' motion to dismiss, plaintiff's response, defendants' reply, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' motion to dismiss (Dkt. #17) is DENIED.
- (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to Judge Donohue.

DATED this 21<sup>st</sup> day of November, 2006.

  
Robert S. Lasnik  
United States District Judge